a capacitor having a first terminal directly connected to the first supply terminal and a second terminal directly connected to the gate of the transistor of the second type.

4 8. (Amended) A device for protecting a circuit against voltage surges, comprising:

an MOS transistor of a first type directly connected to first and second supply terminals by its source and its drain, respectively;

an MOS transistor of a second type directly connected between the second supply terminal and the gate of the transistor of the first type by its source and its drain, respectively;

a capacitor having a first terminal directly connected to the first supply terminal and a second terminal directly connected to the gate of the transistor of the second type; and

[The protection device according to claim 1, further comprising] a reverse connected diode between the gate and the source of the transistor of the second type.

REMARKS

Initially Applicant wishes to thank Examiner Leja for the courtesy he extended in granting and conducting a telephone interview with Applicant's attorney on April 27, 1999. Although no specific agreement was reached during this interview, the Examiner requested that Applicant file a formal response including Applicant's arguments as to why U.S. Patent No. 5,239,440 (Merrill) does not teach or suggest the invention recited in claim 1. These arguments are presented below.

Claims 1, 2, 4, 5 and 27 - 33

Claims 1, 2, 4, 5, 27-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Merrill. Applicant respectfully traverses this rejection.

Claim 1 is directed to a device for protecting a circuit from voltage surges. The circuit includes a metal oxide semiconductor (MOS) transistor of a first type, an MOS transistor of a second type, and a capacitor. The MOS transistor of the first type is directly connected to first and second supply terminals by its source and its drain, respectively. The MOS transistor of the second type is directly connected between the second supply terminal and the gate of the MOS